

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TUBE CITY IMS CORPORATION,)
Plaintiff,) 2:14cv1245
vs) Electronic Mail
ALLIANZ GLOBAL RISKS US INSURANCE) Judge Cercone
COMPANY,) Magistrate Judge Mitchell
Defendant.)

MEMORANDUM ORDER

AND NOW, this 8th day of January, 2015, after the Defendant, Allianz Global Risks US Insurance Company, filed a Motion to Dismiss Counts IV and V of the Complaint, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 29), which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's Motion to Dismiss Counts IV and V of the Complaint (ECF No. 9) is DENIED.



David Stewart Cercone
United States District Judge

cc: Honorable Robert C. Mitchell
Jeanette H. Ho, Esquire
Mark Gordon, Esquire
James M. Hoey, Esquire
Paul K. Geer, Esquire
Tara L. Maczuzak, Esquire